

CIVIL MINUTE ORDER

E-FILED: 7/17/2007

HOWARD R. LLOYD UNITED STATES MAGISTRATE JUDGE

CT. #2

DATE: July 17, 2007

CASE No. C05-05222 JF (HRL)

CASE TITLE: TCGIVega Info. Techs. v. Karna Global Technologies, et al.

COURT REPORTER: Recorded by Reporter Present at Deposition

APPEARANCES

For Plaintiff(s):

For Defendant(s):

Melinda Morton

Antoinette McGill



Telephonic Proceeding for Mid-Deposition Dispute

Comments:

Plaintiff initiated a telephone call to the court to resolve several disputes that arose during the deposition, then in progress, of defendant Gregory Hawkins. The parties disagreed as to (a) the propriety of certain objections and instructions not to answer asserted by defense counsel; and (b) the manner in which objections may be asserted. Counsel stated their respective positions. The court ruled as follows:

- (1) The questions read to the court concerning the deponent's preparation for the deposition are not vague and ambiguous. Defense counsel's instruction not to answer was improper under Fed. R. Civ. P. 30(d)(1).
- (2) The questions read to the court concerning the deponent's service on other boards do not call for private information. The questions seek information that is relevant under Fed. R. Civ. P. 26(b)(1). Defense counsel's instruction not to answer was improper under Fed. R. Civ. P. 30(d)(1).
- (3) Defense counsel is entitled to make objections. However, objections "must be stated concisely and in a non-argumentative and non-suggestive manner." FED.R.CIV.P. 30(d)(1). Defense counsel shall not make speaking objections.

CC:

Chambers

Judge: JF